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THE JUVENILE COURT— A COMMUNITY CONCERN

by

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The photograph on page 14 is from the "One Third of the Nation" series by the W.P.A. Federal Art Project. . . . The photograph on page 15 by *Richard Averill Smith* is taken from the 1938 report of the Domestic Relations Court of New York City, the Hon. Justine Wise Polier presiding.

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THE JUVENILE COURT —A COMMUNITY CONCERN

• by BENEDICT S. ALPER

Social Progress in War Times

Periods of war do not necessarily cause a halt in social progress. In the United States during World War I, woman suffrage, the eight-hour day and progressive education were some of the important reforms which made great headway. America, looking abroad in 1940, sees World War II as the result of unsolved national and inter-national problems and pressures. The determination grows that we must study the causes of our own social unrest and aim to improve conditions among our own people. We may be powerless to stop the destruction and carnage which engage the energies of Europe and Asia. But we may match that destruction with construction—by looking to the defects in our own system.

In a constructive program, the condition of our children should receive first consideration. The care given to the youngest among us is a sure index to the level of our social concern. The treatment accorded young lawbreakers, whom we call juvenile delinquents, provides a key to the other services in behalf of children.

Who Are Delinquents?

Delinquents are "Dependents" of Society

Juvenile courts which deal with delinquents are also concerned with children who are dependent, neglected and wayward. Dependent and neglected children are those in need of public relief or care. Wayward children are those who are developing in such a way as to dispose them toward a criminal or immoral life.

Speaking of the various types of children's problems with which he deals, a progressive juvenile court judge recently

said: "*All of these children are alike dependent, regardless of how we may label them legally—dependent upon society for a larger share of well-being, affection and security than they now receive.*"

It is far easier to define by law these differences among children than it is to recognize them in practice. The manner in which a child's case comes to official attention frequently determines his legal status as that of dependency, neglect or waywardness.

Characteristics of Delinquency

The similarity between delinquent children and children who are dependent or neglected can be seen by a reading of the early histories of court cases. Regardless of the offense they commit or the city they come from, the main characteristics of these children are surprisingly alike. Adult rules of life require certain curbs upon the appetites, drives and desires of young children. Even under normal circumstances these curbs are seldom easily accepted. When to this usual difficulty are added physical, mental, family and environmental handicaps, we can see why certain children become delinquent. Translating this statement into figures may present it in a more convincing light.

North

Among one thousand delinquents in a large northern city, five hundred came from homes where one parent had separated, deserted or died; three-quarters of the children were retarded in school by one or more years; fully one-half of them were either feeble-minded or mentally disordered; well over one-half had been arrested before their thirteenth birthday; 90 per cent of them spent their time while out of school in harmful ways.

South

The picture from a large southern city shows similar conditions. In a group of one hundred children committed to reform

schools from the juvenile court, the families of fifty-nine were living on incomes below minimum needs and one-half of the families had official criminal records for one or more of their members. The medical histories of the one hundred families proved that more than one-half were afflicted with serious physical conditions — syphilis, gonorrhea, undernourishment and anemia, heart disorders or tuberculosis.

East

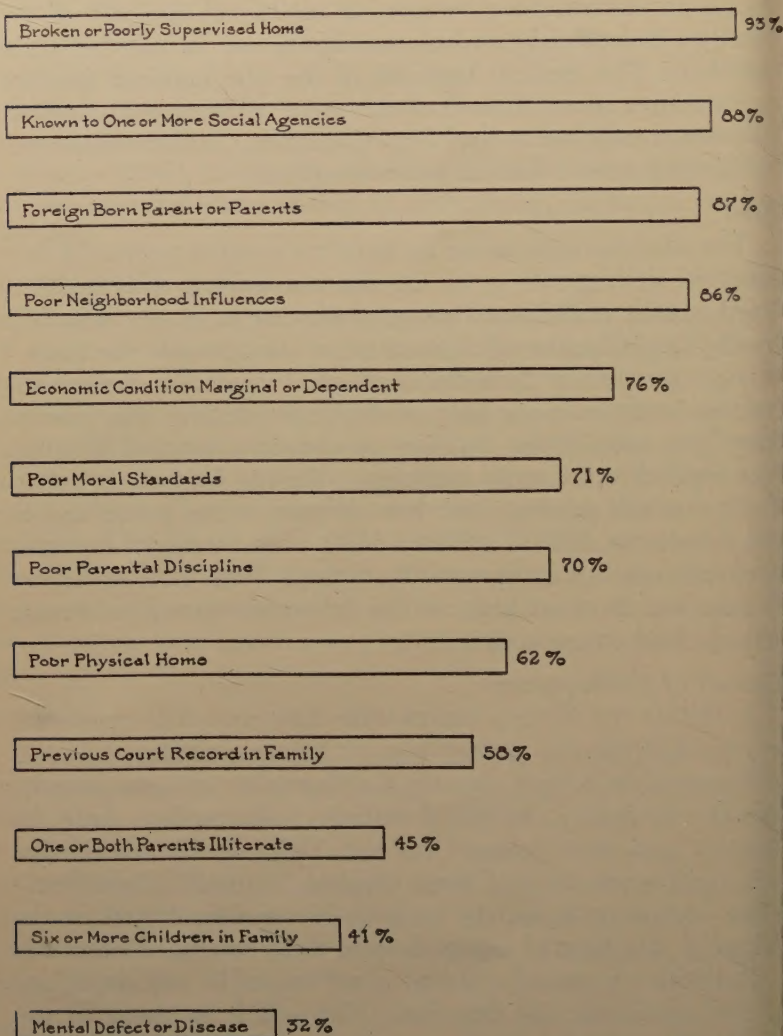
The situation is the same for children in small towns. Of two hundred delinquents in an eastern community, three-quarters lived in two well-defined areas of the city in houses described by the local Chamber of Commerce as "uninsurable fire traps." Gangs operated in these two sections. Included in their membership were over one-half of the really serious delinquents. Sixty per cent of the families of the two hundred children had applied to the social agencies of the city for help or relief. Fully one-half of them had been known to the police and to the schools as difficult children for a wide variety of behavior problems over a long period of years. The rate of school failure was twice as high in the delinquent group as among school children generally.

Causes of Delinquency

Evidently the locality makes little difference. *The conditions of the children who appear in court reflect a variety of factors detrimental to normal, healthy development—disease, poverty, family criminality, mental handicap, bad housing, gang influences and poor parental control.* The juvenile court judge was right when he said these children were all "dependent." They depend upon society for help in the difficult task of developing into normal adults despite these combined obstacles.

Delinquency among children is not caused by any *single* one of the conditions just described. Nor will it be cured by the elimination of any *single* one of them. The lives of most delinquents are marked by the presence of a large number of these unwholesome factors. Working together such factors

FAMILY BACKGROUND OF DELINQUENT BOYS



Based on statistics taken from *One Thousand Juvenile Delinquents*, a survey made by Sheldon and Eleanor T. Glueck in Boston. This chart originally appeared in *Juvenile Delinquency in Massachusetts as a Public Responsibility*, published by the Massachusetts Child Council in 1939.

produce an offender against society instead of a law-abiding citizen. It is important to keep this idea of the many-sidedness of crime causation in mind. Because if there is no one cause then obviously there is no one cure. *If we can abandon the notion of a panacea and concentrate on improving groups of interrelated conditions, we shall make greater headway in the solution of delinquency, or of any other social problem.*

Internal and External Conditions

Some of the conditions in the lives of these children, like mental disorder or physical defect, are inherent. Others—bad housing, improper companions or lack of healthy recreational facilities—are external handicaps. It is pointless to revive the old argument about heredity and environment. We get a clearer view of the problem if we can see the conditions within the child's own life as *affecting* and *being affected* by his outside situation. A child below par mentally and living in a neighborhood where gangs are active, is certainly more susceptible to delinquent influences than a child whose intelligence is normal and who lives in a more wholesome community.

Studies by the Federal Housing Authority have demonstrated that the highest delinquency rates are usually found in certain well-defined sections. "Twenty-five per cent of all juvenile delinquency is found in 61½ per cent of the city area of Seattle; 50 per cent of all juvenile delinquency is found in 18 per cent of the city area of Richmond; 47 per cent of all juvenile delinquency is found in 17 per cent of the city area of Cleveland; 46 per cent of all juvenile delinquency is found in 9 per cent of the city area of Philadelphia." (See leaflet *Housing and Juvenile Delinquency* by the U. S. Housing Authority. Write to the Council for Social Action for free copy.)

It is true that the same environment which produces delinquents has, on occasion, produced a leading citizen. *Individuals vary in their ability to withstand the effects of the same bad environment. Some children need more help than others in adjusting to outside pressures.*

What Price Neglect

Bill, John and Tom, aged thirteen, fourteen and fifteen, spent a summer near a lake on the shores of which stood the most beautiful estate in the town. In the middle of the following winter, late in the afternoon, they broke into the house, took down from their racks some guns which formed the prize collection of the owner, shot holes through the paintings and plumbing, hurled rare Chinese potteries from their cases, cut rugs into strips and rifled the contents of bureau drawers. Surprised in the midst of their vandalism, they shot and killed the family watch dog and escaped in a stolen car. There followed the kind of man hunt which is usually reserved for public enemies who occupy a high rating on police lists. Captured and handcuffed and brought to the police barracks, they confessed, admitted their guilt, and were committed to juvenile training schools.

John and Tom had been known to courts in the state prior to this offense, each on three occasions. Both were under suspended sentence to a correctional school at the time of the occurrence of this offense. They had both been on probation. The families of all three boys had received some care by social agencies in their home town. Two of the boys were frequent truants from school prior to the commission of this offense.

Eight months after their commitment, two of these boys created such a disturbance at the training school that they were brought into the psychiatric department of a nearby children's hospital for examination. Neurological study revealed that Tom had suffered from a brain tumor for the past three years and that John had never completely recovered from an attack of encephalitis (a form of sleeping sickness) which he had had at the age of ten.

The total damage caused by these three boys amounted to between twelve and fifteen thousand dollars. Many of the destroyed articles were irreplaceable. Their owner could not possibly recover his losses. *How much less would it have cost*

society to learn the facts underlying their delinquency when these boys first appeared in court?

A Better Way

The case of Joe, a twelve-year-old boy of foreign parentage, shows what may be done when treatment is applied as soon as a difficulty comes to light. Two weeks before his twelfth birthday, Joe's mother died. Three days later came the death of his only aunt. Two older brothers, from whom much had been expected, were serving a five-year sentence for auto theft. Joe's father, who had never paid much attention to him, could not understand why he should want to have a bicycle, especially when there was seldom enough money in the house to buy food.

Joe did not look forward to his birthday. The end of the school year was approaching and Joe knew he would not be promoted. He did not know that his limited mental ability might keep him in the fifth grade forever. His dream of a job as a motor mechanic seemed very far away.

The day after his birthday, Joe stole a bicycle from a boy at school. When it was found in his cellar by the police, a lot of tools from a downtown hardware store were found with it. Fortunately for Joe, there was a juvenile court in his community.

The court was not interested solely in the fact that this was Joe's first appearance. A boy who could tell the psychiatrist that "no one ever gave him anything" and that "no one was interested in him" was likely to commit further offenses. After a physical and psychological examination and a thorough study of his past history, the court decided to place Joe in the country. He was sent to live with people of his own nationality who had two daughters and could use the part-time help of a boy. He was enrolled in the pre-vocational school and was free to do chores around the farm after school hours. His foster parents knew his story. In his new home anniversaries and holidays were joyful occasions, and Joe's birthday, from his thirteenth through his seventeenth, was never forgotten. He is now the

head mechanic on his foster father's farm, too busy re-building an old motorcycle for his own use to bother about anyone else's bicycles or "pay rolls."

Juvenile Delinquents and Adult Crime

We are compelled to meet the challenge of the delinquent in the juvenile court because we are learning that the great majority of criminals do not suddenly turn to crime after a childhood or youth of normal behavior. *In a large eastern state, almost one-half (46 per cent) of all individuals committed to the penitentiary in a single year had previously been convicted for juvenile offenses before their seventeenth birthday.*

Anti-social ways of life, like acceptable behavior, are the result of habits formed in early childhood. A child who disregards the law when he is young, in response to whatever conflict or maladjustment in his life, will be more likely to go on committing crimes when he is older. *If we are to halt the recruiting of adult criminals from the ranks of delinquent children, we must direct attention to the earliest signs of difficulty.* Stealing, vandalism, continued truancy, banding together into lawless gangs, retardation or other school difficulty, running away and serious disobedience, are danger signals by which children give notice of their potential threat to society.

Results of Early Court Neglect

Frank W., twenty-five, now serving a term of twelve to fifteen years in State Prison for a pay roll robbery, first appeared in court when he was eleven. For "lack of evidence," the charge of larceny of cigarettes was dismissed. When he was picked up by the police again at the age of twelve for breaking open a vending machine, he gave a false name. The court placed the case on file. Three months later complaints were made of continued truancy from school and larcenies from stores. The court did not attempt to make a thorough study of him and continued his case for disposition. He kept up his petty depredations, with no attempt by the court or any other

agency to discover the reasons for his misconduct, or to suggest a solution. Shortly after he was sixteen, he was picked up for drunkenness. The juvenile session waived jurisdiction over him and he was committed by the criminal court to the house of correction.

In the next eight years Frank spent eleven terms totaling six years, in jails, houses of correction, state farms and reformatories. These six years of institutional care cost the state \$2661. Then came his sentence to State Prison. If he is released after the expiration of his minimum sentence, the cost will have been increased to \$8098. When he was eleven, a thorough study of his case at a child guidance clinic would have cost something over fifty dollars. Placement in a foster home, if this had been indicated as necessary, would have cost a maximum of ten dollars a week. By some such steps as these, Frank might have been saved for himself as well as for society. But these steps were never taken.

Value of Early Court Treatment

The contrast in the treatment of Joe and Frank shows the value of the juvenile court—not only as a treatment agency for children who get into trouble with the law but also as a preventive agency to forestall the development of delinquency into serious crime. *Of every two adults who will go off to a prison term tomorrow, at least one is labeled as a delinquent in our juvenile courts today.* Realizing that crime originates in childhood and youth and that treatment is more likely to be successful when it is applied early than when it is applied late, let us examine the best in principle and practice that has been developed by the juvenile court during the past forty years.

The Juvenile Court

Legal Origins

The legal basis of the juvenile court is found in two very old common law concepts. The first is that the state as the parent of all children is concerned with their protection and

their welfare. The second principle is that children under seven are not expected to know the difference between right and wrong and so cannot commit crimes and that children between seven and fourteen have a limited responsibility. Starting with these premises, the first juvenile courts initiated a special procedure to apply to the young offenders who were brought before them. *If children were not to be regarded as having "broken the law," then they should not be subjected to the regular adult criminal procedure.* The juvenile court was primarily interested in learning the "why" of the offense in order to discover the "how" of treatment.

This meant that hearings could be held privately, that lawyers and prosecutors were not needed and that juries could be dispensed with, along with all the trappings and jargon of the criminal court. The publicity accompanying the trials of famous felons was frowned on by the juvenile court. It has been claimed that newspaper accounts of the sentences given to adults are justified by the deterrent effect they are supposed to have on others. But the juvenile court did not want to expose children to public scorn or to make examples of them.

Non-Criminal Procedure

This new court assumed that the children who appeared before it were in need of treatment. *It looked upon the commission of an offense by a child not as a blow to society which must be avenged, but as an opportunity to help a young person whose need might otherwise have gone unnoticed. It realized that society would be most surely protected by taking notice of a child as soon as he started "to go wrong."* The law empowered the court to take any steps which it deemed necessary for the rehabilitation of the child—placement under the supervision of a probation officer, clinical examination, temporary change from his own home to the home of foster parents, medical attention or commitment to an institution.

The laws creating the juvenile court uniformly stressed the parental nature of such measures as these. The court was

justified in these actions because they were taken for the "aid, encouragement and guidance" of the child.

Offense Jurisdiction

Because it is a corrective and not a punitive agency, the juvenile court has insisted on control of young offenders even in the rare instances where they commit serious offenses. *The court is concerned with the conditions underlying delinquency and not primarily with the act itself.* If the court were to concentrate on the offense, which is only a symptom of serious maladjustment, it would miss its opportunity to reclaim the offender. That is why juvenile court judges have in some instances defied public clamor, have refused to defer to mass hysteria and have insisted on treating cases of arson, serious assault or even homicide as the acts of immature persons who cannot be held fully accountable.

Many of the cases which juvenile judges are called upon to decide are difficult to diagnose. The actual offense may give no clue to the reason for the child's behavior. *The juvenile court asks for complete jurisdiction over all offenses committed by children because it realizes that its non-criminal procedure is the most effective way of discovering causes and arriving at cures.*

Age Jurisdiction

It is common knowledge that persons under twenty-one are "infants in the eyes of the law." Before that age no one may vote or hold office, qualify for a license to practice medicine or law, make a contract or manage property. The reason for these limitations upon "legal infants" is well grounded in the physical, mental and emotional immaturity of youth.

We have seen that the early concepts of criminal law considered children under seven as not responsible for their actions, those between seven and fourteen relatively so, and those over fourteen completely so. Juvenile courts have struggled against these early precedents and, in some states, have succeeded in

winning control over the cases of children between the ages of seven and twenty-one. Most courts are limited to an upper age of sixteen, seventeen or eighteen. The tendency in recent years has been toward higher limits; eighteen is the upper age of jurisdiction in the largest number of states.

Geographical Jurisdiction

When an adult commits a crime, he is usually expected to stand trial in the district where the crime takes place. Juvenile courts have proceeded on the belief that the place where a child happens to commit his offense is not of major importance in the consideration of his case. Therefore, juvenile courts generally prefer to supervise the cases of children living within their districts, regardless of the part of the city or state in which the offense has been committed.

Any steps which eliminate slum housing . . . which provide more playgrounds and parks in crowded areas . . . will inevitably reduce the number of cases coming into the juvenile courts.





Juvenile courts are best administered by trained and qualified men and women who devote their entire time to the work.

All but two of our states have some kind of juvenile court organization. Some are found only in the larger cities, many are on a county-wide basis, others are a minor division or session of a regular adult court. A number of our leading juvenile courts have functioned effectively as branches of domestic relations courts. Here the experience of the judge in handling all kinds of family situations gives him the point of view which is essential for the understanding of children's difficulties.

The Judge

Juvenile courts are best administered by trained and qualified men and women who devote their entire time to the work. This is as necessary for the proper handling of delinquents as is specialization by children's doctors and hospitals in the medical care of children. Experience has proven that the judge

who spends part of his day hearing and meting out sentences in criminal cases and auto accidents, trying divorce cases or deciding on wills and transfers of property has not the time to develop or exercise the special wisdom necessary for the understanding of juvenile problems.

Children are not "just small men and women." Difficulties connected with their growth and development are as unlike the problems of maturity as measles is different from gout. Moreover, the approach in juvenile cases is preventive, protective and flexible, while the procedure in the adult criminal court is rigid and, by and large, punitive.

Women in the Court Service

Women have played an important role in the establishment and spread of the juvenile court idea. The first court, established in Chicago forty years ago, was the result of their imagination and their effort. Since then, women judges, referees and probation officers have been helping children in trouble. Leading courts which have a man judge frequently appoint a well-trained woman as referee, or minor judge, to handle the cases of girls and very young children.

The appointment of women probation officers for the investigation and supervision of the cases of girls is and has been especially effective.

The Probation Officer

The probation officer is the court's agent in the community. His relationship to the judge is that of the nurse to the doctor in a hospital. He helps in the investigation of cases, advises the judge in arriving at a solution and carries out the treatment in the community. *Sound practice demands that he be a well-trained person, selected on the basis of experience, training and skill and that he be appointed without regard to political favor.*

The most important part of the probation officer's work is the effort to adjust the child to his surroundings. The child's

inner conflicts which spring from family discord, from lack of attention or affection or from a feeling that he "isn't wanted" find expression in the form of offenses against society. Children look for satisfactions within the group in which they are born and reared—the family. When they fail to secure these satisfactions within the home, they seek elsewhere for them. Gangs, for instance, supply an intimacy and a group spirit which some children never find within the family circle. It is the probation officer's task to help in resolving these conflicts. He must find a way to divert the child's impulses from delinquent expression into more constructive, socially acceptable channels. In this process he works with all the recreational, clinical, religious and other agencies in the community.

The Juvenile Court Process

Referral and Complaint

The juvenile court, like any court, cannot take action until the case is brought to its attention by an outside source. The case of an adult criminal is brought before the court upon a complaint of the police who made the arrest, or of the victim of a theft or assault and, in more serious cases, by an "information" from the district attorney or an indictment by the grand jury.

In juvenile matters the procedure is informal and much more varied. A parent may seek help with a stubborn or runaway child, a school may refer a case of serious truancy, the police may make a complaint for a violation of an ordinance or the commission of an offense, or a neighbor may report the abnormal conduct of a child on the street. Thus *the court has many ways of learning about children who need its help. Our best courts welcome these opportunities to aid children whose needs might otherwise go unnoticed and unmet.*

Informal Hearing

The more enlightened courts deal with a large percentage of cases as informally as would a children's aid society. At a

private "off-the-record" hearing the complainant, the child and the parent each gets an opportunity to tell his side of the story and the judge has an opportunity to learn all the facts.

Under such procedure, the truth is less likely to remain hidden. Some courts handle 90 per cent of their cases in this fashion, keeping no official records. Nevertheless they effect important changes in the lives of children and prevent many of them from becoming serious criminals. These courts report an increasing proportion of cases brought to their attention by parents, who come to look upon the court as a community agency for dealing with children's difficulties.

Detention

When a child is picked up by the police or caught in the commission of an offense, there is the immediate practical problem of where to keep him until the court may hear his case. If he were an adult he would be held in the police station or the local jail, unless bail were produced for his release. *The best juvenile courts have consistently maintained that children should not be committed to jail.* Two alternatives to jail detention have been developed. Their use has resulted in the protection of children from the contaminating influence of jail confinement.

The Detention Home

The detention home under private or public auspices is, ideally, a special institution for children, staffed with matrons, doctors, teachers, and psychologists. Such a professional staff can utilize the period of waiting before—and sometimes after—the court hearing for the study and observation of the child, thus providing a dual service for the court.

Foster Home Detention

The foster home plan is an excellent way of detaining children whose own homes are, for whatever reason, unfitted for their care. The elements of this plan are few, its cost low and its advantages many. Briefly, it is a system of private

homes, especially selected by the court or by children's agencies, prepared to take a few children for brief periods of time. By having a variety of these units available, specialized care is possible. Some homes take only boys, others only girls, others certain physical problems, or runaways. Thus they are able to give personal attention to the children placed with them and to maintain a "home" atmosphere with a minimum of dislocation to the child's life.

Investigation

After the petition has been made to the court and before the case is up for hearing, an investigation is made into the physical, mental and social characteristics and background of the child. The probation officer interviews him, talks with his parents, visits his school and from other sources gathers all the information pertinent to a thorough understanding of his case. This information is then submitted to the judge to acquaint him with the conditions underlying the child's offense.

Clinical Examination

Some cases are very involved and the causes so deeply buried in the child's previous history that special skills are required to discover them. The child guidance technique which helps the court in the study of difficult cases was developed less than ten years after the first juvenile court was established, and interestingly enough, in the same city—Chicago.

The clinic personnel consists usually of three types of persons. The psychiatrist, trained in medicine and in a knowledge of the dynamics of behavior, interprets the emotions, attitudes and early conditionings which make children behave as they do. The psychologist is trained to discover the mental ability and the special aptitudes of children. The social worker, who is an expert in the practical handling of children in families, acts as the clinic's field agent in the community.

Hearing and Disposition

Good practice calls for the separate hearing of each person involved in a juvenile case, so that each may speak freely in

the presence only of the judge and perhaps of the probation officer. Occasionally one witness is confronted with another in order that the truth may be more fully revealed. Lawyers are usually absent from the hearing. When one is retained by an angry or fearful parent, a good judge can usually persuade him to set aside his partisan approach and to aid in determining the problem and its solution. Consistent with the dignity and spirit of the procedure, the judge maintains an atmosphere of friendliness and understanding in the court.

Based upon its study of the case, the court then draws up a plan of treatment and decides upon the steps necessary to bring the plan into effect. There are many things a court may order to be done, but these orders will fall into one of three main groups—supervision on probation, placement in a foster home or commitment to an institution.

Probation Care

Under a probation order, the court has very wide powers and can employ the greatest variety of treatment methods. The child who requires physical attention may be compelled, as one condition of his probation, to go to a hospital. He may be required to cooperate with the child guidance center for the treatment of a behavior difficulty. He may be ordered to pay out of his earnings restitution for theft or damage. He may be enrolled in a club in order to make more constructive use of his leisure time.

The probation officer works with the child and his family. He may, in one case, point out to the mother the harmfulness of repeated comparison of the child with a drunken or criminal father. He may attempt to correct the discrimination in favor of some member of the family as against another. He emphasizes the differing needs of children and the various ways of meeting these needs. He tries to build up a friendly relationship between the child and himself and to have the child carry this relationship over into his dealings with parents,

brothers and sisters. *All of these steps call for a highly individualized approach which differs with each child.*

The underlying principle of probation work is that the child will continue to live in the community after he leaves the control of the court and that he should therefore be helped in his adjustment to the community. To this end, any means that will make for a better relationship between the child, his family and the community are within the power of the court to impose and of the probation officer to supervise.

Foster Home Placement

Foster home placement seeks to keep the child in a home atmosphere. The use of foster homes during the period of study of the child's case has been described. These homes have also been very successful in the treatment of various types of conduct disorders, as well as in the care of children who were formerly sent to orphan asylums.

Institutional Care

If a child's behavior is so disturbing that probation care or treatment by foster home is not likely to be effective, he is sent to a juvenile training or correctional school for an indeterminate period. In most cases the institution or the court may retain control of him until he reaches the age of eighteen or twenty-one.

Treatment within the institution aims to correct anti-social habits and attitudes, and to train the child to adjust to his family and community upon his return. Discipline and routine are important features in this process. Training for a trade which may enable him to earn a living is given along with education in regular academic subjects. The institution provides a setting in which the special needs of the child may be individually observed and treated.

Release from the institution depends upon the rapidity of the child's response to the training methods imposed and the likelihood of his satisfactory adjustment to the community when he returns to it. The best institutions continue to super-

wise the child after he has been released to his home under the attention of a parole officer.

What Needs To Be Done?

The procedure just described is a scientific and non-punitive method of discovering the cause of a child's delinquency, the treatment which may correct his difficulty and the steps to be taken in carrying out the treatment effectively. It is important to note that this procedure has not been based upon sentimentality or softness. It is the result of the most realistic and practical considerations—that *society, for its protection and for the welfare of its individual members, must take such measures as will deter children from committing further offenses*. This protection is most effectively secured by first discovering the conditions causing delinquency and then by correcting those conditions. In essence, the procedure of the court is patterned after that of medicine — diagnosis, prognosis, treatment.

Unfortunately, this method is not representative of juvenile courts in all parts of the country. It is based on the successful experience of our best courts. There are innumerable places in America where, despite progressive laws, juvenile courts exercise what is essentially a modified criminal procedure and pay only lip service to the law under which they hold jurisdiction. There are many other states which have not made legal provision for the establishment of juvenile courts in all of their communities. *The first need is to bring about a fuller understanding and acceptance of the principles of the juvenile court.*

Early Objections

These enlightened principles met with some opposition at the time of their incorporation into the first juvenile court law of Illinois in 1899. The opposition was based on several grounds. It was feared that the court was depriving the child of his constitutional right of trial by due process, including

the right to a jury. Private hearings were considered contrary to the tradition of open public proceedings and seemed to be reminiscent of long-outlawed Star Chamber methods. It was also said that, by stressing the need and condition of the child instead of his offense, the court was coddling him and encouraging other children to commit offenses.

In the early days of its establishment, the juvenile court was forced to defend the non-criminal nature of its jurisdiction and procedure. Many test cases were fought all the way up the supreme courts of various states. With few dissents, these highest courts upheld the validity of this new juvenile court procedure. They definitely established the dictum that *the hearing of a child's case does not constitute a trial for an offense.*

Children, because of their immaturity, are the objects of the state's concern. The state, as the parent of all its legal minors, is interested in correction not for vengeance but out of parental concern. Because juvenile courts are not criminal courts, *children are not to be regarded as criminals and any program of treatment imposed upon them is not to be considered as a sentence.*

Continued Opposition

An understanding of this basic philosophy of juvenile court operation is essential in meeting the criticism which is today being leveled against it in many places, including the city of its origin, Chicago. The idea of vengeance is old and dies hard. The confusion in the legal code and in the public mind as to the real purpose underlying punishment—whether for retribution, deterrence or reformation—crops out again and again as "crime waves" are discovered.

The juvenile court derives its sanction from old but enlightened precedents—that children are the responsibility of the state and that they cannot be treated as if they were fully accountable. It follows that the court must attempt to discover the reason for the child's conduct and, having discovered it,

must take the steps necessary to amend it. *When treatment stems from a court which is a corrective and not a punitive agency, no constitutional right is violated in the exercise of its function.*

Children Still Regarded as "Criminals"

These principles are misunderstood and occasionally violated, as in the recent instance of two boys under twelve years of age who were held in jail in an eastern city for indictment by the grand jury on a charge of "robbery while armed."

The facts of the case were these. The two boys came out of a western movie late one afternoon. One of them, the spell of the thriller still upon him, stuck a toy pistol into the ribs of a boy standing in the lobby and took a few cents from him. The victim called loudly for the police.

Because these circumstances were looked upon by the local court as including the elements of a serious felony—"armed robbery" and a complaint to the police—the steps which followed paralleled the procedure of the adult criminal court. The boys were thrown into jail, their cases were heard in the criminal court and they were finally bound over to the grand jury for indictment. They became "criminals" in the eyes of the law.

Looking for Causes

Entirely different results followed the commission of a long series of burglaries by a young boy in a mid-western town. The intelligent judge of the local juvenile court refused to turn him over to the criminal court as a felon and insisted upon a thorough examination. The boy was found to be seriously undernourished. It was discovered that he was buying candy with the money he obtained from his burglaries. Because of a complicating glandular disorder, he was not absorbing the proper amount of sugar into his system. Unable to secure enough energy-building material and unconscious of the drive of this appetite he turned to crime. "Disposition"

consisted of medical correction of the difficulty and the "sentencing" of the child to a more adequate diet.

Assuming that society is more interested, for its own protection, in reforming children than in punishing them, which method is more effective—unyielding application of a punitive, criminal process or the application of medical, psychological and other services to discover the cause and possible cure?

Juveniles and Adolescents

We have seen that in civil and property matters youths under twenty-one are considered irresponsible minors. When these young persons commit crimes, the law reverses itself and considers them responsible. All the considerations of immaturity which apply to their other activities are forgotten by the law when their actions outrage or seem to outrage the person or the property of other individuals.

It would be more consistent to consider persons under twenty-one not completely responsible for their criminal acts and to follow a special procedure in their difficulties.

The Adolescent Offender

It is interesting to note that in three large cities—Brooklyn, Philadelphia and Chicago—experiments have been carried on for some years with what is called a Boys' Court or Adolescents' Court for minors between seventeen and twenty-one. These courts were established to provide for older youths a procedure based on that of the juvenile court, with some modifications from the criminal court.

The largest number of individuals now committed to our prisons is found among the nineteen- and twenty-year-old offenders. The public is slow to permit the extension of juvenile court principles and procedure to this age group. The establishment of Youth Courts in three cities is one sign that we are coming to realize that regular criminal court machinery is not too effective in protecting society. That realization is at present a special concern of the American Law Institute, a

national organization composed of leading members of the bench and bar. Through a youth-crime committee of lawyers, judges, psychiatrists and youth experts, they are seeking for a better court procedure and a more integrated program of treatment for the older adolescent offender.

Need for Special, Full-Time Courts

What can be done to raise all our courts to the level of the best? How can all the children of our country, regardless of where they live, receive the benefit of a procedure which is protective of them and therefore, in the fullest sense, protective of society?

In the first place, not all of the forty-six states with juvenile court laws have established courts devoted to this specialized service. Some states have juvenile courts only in the larger cities or in the more populous counties. Other states relegate the juvenile court to a session of the regular adult criminal court. While most cities of over one hundred thousand population have some kind of special procedure for children, rural communities have too often entrusted their juvenile work to local justices of the peace or to other magistrates without special training or ability for this work.

States which limit the specialized procedure of the juvenile court to metropolitan areas are doing an injustice to the children in the outlying districts. A system of circuit juvenile courts, in which the judge visits each town in the district in turn, would afford the best protection to children who might otherwise come under a judge giving only part-time attention to children's cases.

Qualified Judges

In too many of our cities the juvenile court judgeship has been looked upon as just another political office. When this is true it unfortunately follows that the other court offices are filled with political appointees.

Lawyers who are raised to judicial rank are expected to be "learned in the law." For the position of juvenile court judge,

legal knowledge is not so important as training and experience in the special skills necessary for understanding and helping children—education, psychology, psychiatry and social work. Foreign countries which have copied the juvenile court from us have been quicker than we to see the necessity for choosing judges on the basis of qualifications in these fields. Recent years have seen notable changes in our own country. Men whose fitness for the job of juvenile judge is recognized, are being called to this important office by an electorate convinced that the affairs of children should be above political considerations.

Some cities, among them Pittsburgh, Buffalo, Indianapolis, Cincinnati, Denver, Richmond, Toledo and New York, have elected or appointed men and women of the highest skill and training to service on the juvenile court bench. Citizens' committees can insist that nominees for the position be chosen on a non-partisan or bi-partisan basis. *The judge is the key person in the juvenile court.* Voters anxious to protect the welfare of their children and of their communities should be encouraged by the experience of these cities to demand the best trained persons in this important place in public service.

Need for More Women in the Court

The cases of girls, which represent some of the most difficult problems confronting the courts, are all too seldom heard by women. Only seventeen states authorize the appointment of referees for the cases of girls and younger boys. Girls are brought into court largely because of sex offenses. The judge, if a man, is usually baffled by the problem and too often resolves his embarrassment by commitment to an institution. Supervision in normal community life would more frequently be attempted by the court if more women were permitted to render service in the juvenile court process.

This is a profession which should make a great appeal to women. *When it is realized that the likelihood of commitment to an institution is four or five times higher for girls than for*

boys, the great need for women in this field of public service becomes apparent.

Abolition of Jail Detention

Most state laws forbid the jail detention of children under certain ages or beyond certain limits in order to protect them from harmful contacts and experiences. Nevertheless, *jail detention continues to be one of the worst abuses found in juvenile court practice.* In 1929-30, 16,492 children were held in the police lock-ups and jails of our country. Bail, in some instances as high as ten thousand dollars, is still demanded in the cases of children.

Legal restrictions are frequently disregarded by police and sheriffs. Of the three hundred children who were held every week in the jails of America in 1929-30, some were very young—eight-, nine- and ten-year-olds. One-half of them were confined for periods exceeding seven days. Until all communities have developed alternatives to holding children in jail, these tragedies will continue.

The great majority of children awaiting court hearing or court action may safely be allowed to remain at home. Where this is not advisable, experience has shown that a detention home or the home of a foster parent is a good alternative. If juvenile court proceedings are to be really non-criminal and non-punitive there is no reason why any child should attempt to "jump the county."

The consideration here, as throughout the whole juvenile process, is the avoidance of anything that savors of the criminal court. If children are to be treated for the results of their maladjustments, all semblance of force or fear should be set aside until other means of treatment have been tried.

When juvenile courts are full-time courts, with judges freed from other business, the problem and expense of detention will be reduced far below their present extent. The largest percentage of the sixteen thousand children in jail in 1930 were held there because of police indifference or negligence or

because the judge was busy with other court duties. The elimination of jail detention is only one of the many advantages of full-time, specialized juvenile courts.

Extension of Clinical Services

In thirty years the child guidance movement in the United States has grown from one pioneering clinic in Chicago to seven hundred part-time and full-time clinics. They serve not only delinquent children referred by courts, but also children whose parents are seeking help for behavior difficulties. Even with this impressive number of clinics, *there are still large sections of the country where guidance services are unknown. Many courts do not avail themselves of existing clinical services* because they have not come to appreciate the contribution which psychiatry and psychology have made to an understanding of conduct disorders in children.

Despite the spread of mental hygiene principles and their successful application in clinical practice, a surprisingly large number of court workers, as well as the public, still look with suspicion upon any process which they believe savors of the mental hospital.

Courts which do rely upon the clinic for investigation are also using it for extended treatment of difficult cases. The early emotional and family life of the child has an important bearing upon his later behavior. It is not enough simply to discover these causative factors. Extensive treatment by the clinic may be necessary to lead the child to a better understanding of himself and of his surroundings. Reliance upon such clinical services as these is a sure sign of an enlightened court.

More Individualized Probation Care

In many probation offices the staff is not large enough to do both investigation and supervision with sufficient thoroughness. Consequently, the officer's efforts are concentrated upon the immediate necessities of pressing cases while other chil-

dren requiring attention do not receive it until their condition becomes critical.

Many probation officers still demand no more than a routine reporting by the child. Some courts impose as conditions of probation, such rules as "Honesty," "Regular attendance at school," "Respect for parents." Obviously, the child has come to the attention of the court precisely because he could not or did not achieve these commendable goals. He cannot be helped unless the officer has time for supervision of the child and for cooperation with all those individuals and agencies which deal with him—his family, school, church, club and companions. The same results can hardly be expected when "case number 378" reports his presence once a week or once a month at the probation office.

If our juvenile courts were adequately staffed, such routine reporting could be replaced by more intensive case work methods.

Some of our states have raised probation work to professional rank and placed it on a secure, civil service basis. As a result they have attracted persons with special abilities for helping children. Lasting reformation seldom takes place without some strong personal influence. The individuals who are to exert that influence on the lives of maladjusted children are better chosen from colleges and schools of social work than from among the judge's relatives or from the political creditors of a victorious city alderman.

More Intensive Institutional Training

The task of the institution for juveniles has become more difficult in recent years. An increasing proportion of children with serious problems are not sent for training until probation supervision in the community has been tried and failed. This difficulty is being met in some institutions by the introduction of more intensive methods of training so that serious anti-social habits of long standing may be replaced by attitudes more in keeping with the demands of society.

In this process, the institution is turning more and more to psychiatry for aid. Some children definitely require training in a controlled environment. The intensive treatment which they have not received can best be given in an institution which is run as a recognized training and treatment center. *The institution represents in many instances the last opportunity society may have before the seriously delinquent child goes out into the world.* If this opportunity is missed, the child may be well set on the road to *permanent* criminality, with *permanent* loss to himself and to the community.

Replacing Punishment with Treatment

It is not easy to correct the notion which prevails in many places that institutions exist for punishment and not for reformation. Some institutional practices unfortunately still reflect the dominance of punitive ideas. A national prison association reports, ". . . it is a shocking fact that in 1937, in institutions for juveniles, we found such punishments as whipping, wearing handcuffs, being shackled to the bed at night, working in shackles and leg chains, cold tubbings, confinement in strait jackets, and long hours of standing rigidly at attention."

Note that these conditions do not describe a distant country, centuries ago. They exist now, here, in our own country. What chance have children trained by these methods to rid themselves of inner conflict or to dissolve their antagonism against the world? *Such measures cannot replace hostile feelings with social attitudes that will make these children good, peaceful, law-abiding citizens.*

Professionals Instead of Politicians

The control of the institution by politicians rather than by trained persons is of course one reason for these conditions. Untrained personnel are likely to use punishment and restraint as the easiest way of controlling children. More subtle and effective methods require the guidance of skilled persons.

In many states the arrival of a new governor at the Capitol

may presage a complete turnover in the school personnel from stoker through superintendent. Is it any wonder that institutions sometimes fail to perform their reformative and corrective purpose? Again society must protect itself by insisting upon the appointment, under civil service, of men and women of training and experience who are professional workers with children.

Lack of a Consistent Approach

The institution is, of course, not the only agency which fails to follow a philosophy of reformation as the surest protection of society. In fact, the absence of a consistent policy based on such a philosophy marks the whole juvenile process in many parts of our country. Police are specialists in making arrests; courts are motivated by differing ideas of their purpose and function. The probation department may consider its duty to be the enforcement of a period of supervision, without regard to the unsolved problems in the lives of children which lead them into delinquency. Institutions may regard their responsibility as a purely custodial one. Parole agents may not see their job as one more step in the process of helping the child to readjust to his community.

Thus we see a wide variety of ideas and methods operating in the life of a delinquent child—repression, deterrence, vengeance, punishment, correction and reformation. The agencies which deal with court children cannot represent all of these various purposes at one and the same time. Because of the diversity in approach, contradictions in treatment occur. The net result to the child who is supposed to be the object of these efforts is too often failure. When he has outgrown his childhood we see him as "public enemy No. 1"—or 2 or 3. He becomes the habitual criminal who preys upon society until either long term segregation, death or plain old age renders him harmless again.

Emphasis on Delinquency Prevention

It was as a harmless child, it must be remembered, that the offender first started his delinquent and later criminal career.

He probably gave ample evidence at an early age that he was not as other children. The victim of family discord or separation, of poor housing and poverty, of bad companions or inadequate mental endowment, we have seen how he passes through the hands of police, school, judge, clinic, probation officer, institution and parole.

There is therefore a strong movement on foot in this country, led in many places by the juvenile court itself, to reach children when they are still "pre-delinquent." Communities have set up all kinds of organizations under varied auspices for the early prevention of delinquency.

There are laws on our statute books which permit the state to concern itself with children likely to become tubercular. The "sanatorium" was familiar thirty years ago as a place where people with tuberculosis could go to be cured. A new word has come into our language in the past ten years—"preventorium." This is a place where children who show signs of a pre-disposition to the dread disease may be treated to withstand its development into an acute stage. It is a matter of common knowledge that the mortality rate from tuberculosis has greatly decreased in recent years. It may not be so generally known that, with the exception of one year, the delinquency rate among children, as based on juvenile court figures, seems to have dropped during the past decade. The development of preventive programs is undoubtedly a contributing factor in the decrease in both of these social problems.

If this rate is to continue to drop, we cannot simply maintain the status quo. Present methods must be intensified and developed further. *Preventive and treatment agencies for delinquents must be made even more effective if we are to continue to reduce the number of children coming into court and with that, the number of young criminals.*

Delinquency and Crime Are Reducible

Except in Utopia, crime will never be completely eradicated but there is much to be done. *Crime is reducible far below its present extent in every community in the United States.*

All improvements in the general standard of living will raise the level of child care and will result in a decrease in the number of children who become delinquent. Any steps which eliminate slum housing and increase family budgets, which provide more playgrounds and parks in crowded areas and extend the benefits of medical care, which decrease unemployment and distribute the advantages of education, will inevitably reduce the number of cases coming into the juvenile court. These are the elements of a broad general program which should rightly claim the attention of America at peace.

Until these social benefits have been more equally distributed to those sections of the population which we now euphemistically designate as "under-privileged," children in large numbers will continue to express their deprivations, their dissatisfactions and their conflicts in anti-social ways.

The level of child care can be as high as we want it to be. As with other social problems which concern us, we can pass any laws, appoint any personnel and secure adherence to any enlightened procedure that we want. *The first requirement is that we become informed; the next, that we join with persons of like mind; and finally that we make our unified demands known in an effective way.*

What You Can Do In Your Community

First Steps

Consult your state law and compare it with the juvenile court standards and standard juvenile court law listed below. Ally yourself with the local or state-wide body that is studying juvenile delinquency and interest yourself in the passage of improved legislation.

Acquaint yourself more fully with the history and operation of the juvenile court by reading some of the following:

"Juvenile Court Standards" and "Standard Juvenile Court Law," National Probation Association, New York, 1933.

"Youth in Conflict" by Miriam Van Waters, New Republic Press, 1925.

"Juvenile Courts in the United States" by H. H. Lou, University of North Carolina Press, 1927.

- "The Gang" by Frederic M. Thrasher, University of Chicago Press, 1936.
- "Delinquency Areas" by Clifford R. Shaw, University of Chicago Press, 1929.
- "One Thousand Juvenile Delinquents" by Sheldon and Eleanor T. Glueck, Harvard University Press, 1934.
- "New Light on Delinquency" by William Healy and Augusta F. Bronner, Yale University Press, 1936.
- "Preventing Crime" by Sheldon and Eleanor T. Glueck, McGraw-Hill, 1936.
- "Juvenile Delinquency in Massachusetts as a Public Responsibility," Massachusetts Child Council, Boston, 1939.
- "Your Neighbor's Child," National League of Women Voters, Washington, 1939.

See For Yourself

The next step toward learning how your juvenile court measures up to standard practice is to visit the court, meet the judge and probation staff. Secure permission to attend a court hearing. Procure a map of the city and mark on it the location of the homes from which come the children who have appeared in court.

Do not be surprised if you find that these homes cluster about the centers which are also known as slum areas. If you will get from public and private recreational agencies the precise locations of playgrounds and parks, and will put these on your spot map, you will soon see that play areas are not generally available to children living in the slums.

Visit the local jail in your community and see for yourself whether any children are being detained there. Speak with the sheriff and with the police at the station house to discover how they feel about holding children in lock-ups. Inquire from child-caring agencies how they are helping to provide temporary foster homes for the few court children who cannot be left in their own homes.

Take a group out to visit the state correctional schools for boys and girls. Talk with some of the children you find there. Note particularly the atmosphere of the institution. Watch

for the unstudied gestures, tone of voice and general attitude which tell more about the true relationship between child and staff member than any statement of purpose or routine. Inquire how appointments are made to the institution staff, what training and experience they have for their important responsibility. Learn what educational and vocational programs are employed to train children to take their place again in the community.

Go to see your superintendent of schools and ask him what is being done by principals and teachers to observe and treat the conduct problems of children in the classroom. Visit the nearest child guidance clinic and inquire how cases are brought to their attention, how much of their time is devoted to the treatment of cases, in what way they cooperate with the school, court and other community agencies.

Make the rounds of settlements, clubs, Y's and recreation agencies and inquire what is being done for and with the child who does not conform. Enlist the interest of service clubs, parent-teachers groups, women's clubs and churches in an active search for information regarding delinquency in your community and the means for observing, treating and preventing it.

Demand Trained Personnel

The judges and probation officers, the staff of the institution and the parole officers are the most important persons in the treatment process for children. The best laws for child protection can be distorted by untrained or punitive-minded personnel. Interest yourself in the election or appointment of your local judge. See to it that institution and court staff are selected because they are trained for this difficult and necessary work. Organize committees to visit the mayor or governor when a vacancy occurs in these services. Bring enlightened public pressure to bear to offset the political pressure that will otherwise be successful. Remember that *in a democracy the people can have any standard of government that they will insist upon having.*

Shall the Trade Agreements Act be Renewed?

[One of the most important questions under consideration by this session of Congress is: "*Shall the Trade Agreements Act be renewed?*" The Council for Social Action has voted to support the Act and to work for its renewal. Our reasons for this support are based upon our belief that the Agreements negotiated under the procedure authorized by this Act (1) have substituted a scientific, non-partisan method for adjusting the tariff in place of political, log-rolling methods; (2) are easing economic tension between our own and other nations; (3) are opening up both domestic and foreign markets for American goods; (4) are increasing total volume of world trade upon which both peace and prosperity depend.]

The vote in Congress will be close. Therefore we urge you to study the question and to write your opinion to your Congressman and Senators. For your information we are reprinting a part of "A Primer on the Trade Agreements," prepared by the National Peace Conference.]

THE ABC OF WORLD TRADE

What basic facts about international trade need to be known to understand the arguments over the Trade Agreements?

1. *The raw materials, labor and resources of this world are very unevenly divided; political boundaries of countries have not been drawn to include within each country all the necessary raw materials and economic resources it needs.* If, by means of tariffs, nations are to be arbitrarily shut off from those resources they need, their standards of living will be forced down through the use of substitutes, or by self-denial, with the resulting despair and poverty, which eventually end in war.

2. *Foreign trade is a two-way street.* One man cannot buy from another unless he has money or "exchange" with which to buy: he secures this "exchange" by selling goods or services to other people in return for money. Nations do not buy from other nations unless they can secure "exchange" by selling goods or services in the world's markets. In other words, personal trade is two-way; international trade is also two-way. Any effort to stop the flow of imports by means of excessive tariffs and other trade barriers, also stops the flow of exports.

3. *Tariff protection is sometimes a boomerang for special interests.* One industry or section of the country cannot long prosper at the expense of another section of the country. For instance, a tariff policy which keeps out cattle or sugar or shoes sent from Country X reduces the amount of "exchange" available for purchases by Country X in the United States. It also leads to retaliatory tariffs by Country X, against all other United States products.

4. *Higher wages through protection is a myth.* Wages in many highly protected industries are the lowest in the country. The "American standard of living" has been maintained best in those industries whose access to raw materials, labor supply, and efficiency of production, have enabled them to compete on world markets without benefits of excessive tariffs. Less than one-seventh of the workers in this country are in the highly "protected" industries; the other six-sevenths as farmers, as workers and as consumers pay the higher costs of the tariff.

BACKGROUND OF TRADE AGREEMENTS

1. When was the Reciprocal Trade Agreements Program begun?

In 1934 and again in 1937 Congress authorized the President to negotiate reciprocal trade agreements with other nations.

2. Why was the Reciprocal Trade Agreements Program inaugurated?

It was initiated as a means of fighting a world-wide depression which had been accompanied by a precipitate decline in world trade.

3. How did short-sighted United States trade policies contribute to the decline of world trade?

As a result of the World War the United States became a creditor instead of a debtor nation. Other countries could pay us their obligations and buy from us in only three ways:—they could and did borrow from us, a policy which has its limitation; they could and did send us gold until now we have over one-half of the world's supply; or they could sell us goods in order to get United States dollars with which to buy United States goods. But our high tariffs of 1922 and 1930 made this last course virtually impossible. The Reciprocal Trade Agreements Program was undertaken to help make this two-way trade possible.

4. How seriously did the world trade situation affect the United States?

Between 1929 and 1932 United States foreign trade dropped ap-

proximately 70 per cent, national income dropped 50 per cent, and gross farm income dropped 56 per cent. Total United States exports shrank from \$5,157,000,000 in 1929 to \$1,647,000,000 in 1933. And, for example, between 1929 and 1933, the value of cotton exports fell by 48 per cent, of meat products by 77 per cent, of passenger cars and chassis by 86 per cent, of wheat and flour by 91 per cent.

5. Are many of our commodities affected by foreign trade?

In normal times, about 10 per cent of our total production is sold on a world market. Many industries, however, depend to a large extent on world markets for both imports and exports; and these industries make possible a large domestic purchasing power for those other industries which sell purely on a domestic market.

Domestic meat, butter and thousands of other American agricultural items are sold to American workers, many of whom earn their purchasing power in industries on an export basis. American radios, shoes, textiles and other manufactured goods go to American farmers, many of whom depend on foreign markets for their purchasing power.

6. What is the purpose of the Reciprocal Trade Agreements Program?

Its purpose is to restore the export market for American industry and agriculture as a means of reviving the American economy, of reducing unemployment, of increasing the purchasing power of the American public, and of improving the American standard of living.

7. What are the provisions of the Reciprocal Trade Agreements Act?

a. The Act authorizes the President to enter into Executive Agreements with foreign countries to make tariff adjustments in return for similar and favorable tariff adjustments by other countries. (Precedent for this so-called "flexible" provision was established in the 1922 tariff under President Harding.)

b. Under the Act, the President may not lower any tariff schedule by more than 50 per cent, nor may he transfer any item from a dutiable to the free list.

c. The Act provides that agreements drawn up under it shall carry the "most-favored-nation clause." This means that tariff concessions given to one nation by agreement are automatically extended also to all other countries not discriminating against United States trade.

d. The Act sets up government machinery to analyze data, provide public hearings and advise the President in his negotiations with foreign countries.

Children's Needs and the Juvenile Court

• by KATHARINE F. LENROOT

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It is indeed encouraging to know that "Social Action" is presenting to church people this comprehensive picture of the legal foundations and methods of operation of juvenile courts, and the reasons why it is so important that the community make the best possible provision for the prevention and treatment of juvenile delinquency. We are still in the trial and error stage in this field, though great progress has been made in the past quarter of a century in understanding the family and community factors in delinquency and the relationship between child neglect and delinquency and adult crime.

The juvenile court when first established was usually the only agency in the community where children coming in conflict with social customs and legal requirements could be studied and treated on the basis of their needs. After forty years the juvenile court is still reaching only a small percentage of the children in need of careful study and guidance, and many courts are not equipped with well-trained judges and probation staff. Children in rural areas are often entirely outside the range of good juvenile court procedure. On the other hand, rapid progress is being made in the introduction of child welfare services under public welfare departments in rural areas, and a variety of agencies in cities are dealing more or less adequately with children's problems.

It has become apparent that there is need for careful review of the functions of the juvenile court in relation to administrative public-welfare agencies, state and local, and to community services for the prevention and treatment of social problems of children. General understanding of the history and the functions of juvenile courts is essential in such a review. Mr. Alper has given us a wealth of material for this purpose.